



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2022-1403; Project Identifier MCAI-2022-00122-T]

RIN 2120-AA64

Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain De Havilland Aircraft of Canada Limited Model DHC-8-401 and -402 airplanes. This proposed AD was prompted by reports of corrosion on the horizontal stabilizer lower center skin panel, including a finding of corrosion where the skin thickness had been substantially reduced, which affected design margins. This proposed AD would require inspecting the horizontal stabilizer lower center skin panel for corrosion, and reworking, repairing, or replacing the lower center skin panel if necessary. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- Federal eRulemaking Portal: Go to [regulations.gov](https://www.regulations.gov). Follow the instructions for submitting comments.
- Fax: 202-493-2251.

- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- Hand Delivery: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2022-1403; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporation by Reference:

- For service information identified in this NPRM, contact De Havilland Aircraft of Canada Limited, Dash 8 Series Customer Response Centre, 5800 Explorer Drive, Mississauga, Ontario, L4W 5K9, Canada; telephone 855-310-1013 or 647-277-5820; email thd@dehavilland.com; website [dehavilland.com](https://www.dehavilland.com).

- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

FOR FURTHER INFORMATION CONTACT: Yaser Osman, Aerospace Engineer, Airframe and Propulsion Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; email 9-avs-nyacos@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under ADDRESSES. Include “Docket No. FAA-2022-1403; Project Identifier MCAI-2022-00122-T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend the proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to regulations.gov, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Yaser Osman, Aerospace Engineer, Airframe and Propulsion Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; email

9-avs-nyaco-cos@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued TCCA AD CF-2022-02, dated January 28, 2022 (TCCA AD CF-2022-02) (also referred to after this as the MCAI), to correct an unsafe condition for certain De Havilland Aircraft of Canada Limited model DHC-8-401 and -402 airplanes. You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA-2022-1403.

This proposed AD was prompted by reports of corrosion on the horizontal stabilizer lower center skin panel, including a finding of corrosion where the skin thickness had been substantially reduced, which affected design margins. The root cause was found to be inconsistent chemical processing of the lower center skin panel, with missing anodizing layer and primer on some areas of the skin panel surface. The FAA is proposing this AD to address possible reduction of skin panel thickness due to the effects of corrosion, which could compromise the structural integrity of the horizontal stabilizer. See the MCAI for additional background information.

Related Service Information under 1 CFR Part 51

De Havilland Aircraft of Canada Limited has issued Service Bulletin 84-55-05, Revision C, dated August 19, 2021. This service information describes procedures for inspecting the horizontal stabilizer lower center skin panel for corrosion, and, depending on the level of corrosion, reworking or repairing the horizontal stabilizer lower center skin panel.

De Havilland Aircraft of Canada Limited has also issued Service Bulletin 84-55-11, dated February 16, 2021. This service information describes procedures for replacing the horizontal stabilizer lower center skin panel.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

FAA's Determination

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the State of Design Authority, the FAA has been notified of the unsafe condition described in the MCAI and service information referenced above. The FAA is proposing this AD because the FAA evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in this NPRM

This proposed AD would require accomplishing the actions specified in the service information already described, except as discussed under "Differences Between this NPRM and the MCAI or Service Information."

Differences Between this NPRM and the MCAI or Service Information

TCCA AD CF-2022-02 specifies credit for repair, rework, or replacement of corroded horizontal stabilizer lower center skin panel using certain repair drawings. De Havilland Aircraft of Canada Limited has informed the FAA that four additional repair drawings are also acceptable for credit. Therefore, paragraph (h)(2) of this proposed AD would provide credit for those additional repair drawings.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 56 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

Estimated costs for required actions

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
108 work-hours X \$85 per hour = \$9,180	\$0	\$9,180	\$514,080

The FAA estimates the following costs to do any necessary on-condition replacements that would be required based on the results of any required actions. The FAA has no way of determining the number of aircraft that might need this on-condition replacement:

Estimated costs of on-condition actions

Labor cost	Parts cost	Cost per product
108 work-hours X \$85 per hour = \$9,180	\$21,449	\$30,629

The FAA has received no definitive data on which to base the cost estimates for the on-condition repairs or rework specified in this proposed AD.

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected operators.

Authority for this Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority

because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Would not affect intrastate aviation in Alaska, and
- (3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39 - AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by

Bombardier, Inc.): Docket No. FAA-2022-1403; Project Identifier

MCAI-2022-00122-T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

(b) Affected ADs

None.

(c) Applicability

This AD applies to De Havilland Aircraft of Canada Limited Model DHC-8-401 and -402 airplanes, certificated in any category, having serial numbers 4001 and 4003 through 4549 inclusive.

(d) Subject

Air Transport Association (ATA) of America Code 55, Stabilizers.

(e) Unsafe Condition

This AD was prompted by reports of corrosion on the horizontal stabilizer lower center skin panel, including a finding of corrosion where the skin thickness had been substantially reduced, which affected design margins. The FAA is issuing this AD to address possible substantial reduction of skin panel thickness due to the effects of corrosion, which could compromise the structural integrity of the horizontal stabilizer.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Inspection and Corrective Actions

(1) Within 8,000 flight hours or 48 months, whichever occurs first, after the effective date of this AD: Inspect the horizontal stabilizer lower center skin panel for corrosion in accordance with Section 3.B. Part A of the Accomplishment Instructions of De Havilland Aircraft of Canada Service Bulletin 84-55-05 Revision C, dated August 19,

2021. If any corrosion is found, before further flight, do the applicable actions specified in paragraph (g)(2) or (3) of this AD.

(2) If the corrosion is within the allowable repair limits as specified in Figure 5 Detail C of De Havilland Aircraft of Canada Service Bulletin 84-55-05 Revision C, dated August 19, 2021, perform the corrosion rework in accordance with Section 3.B. Part B of the Accomplishment Instructions of De Havilland Aircraft of Canada Service Bulletin 84-55-05 Revision C, dated August 19, 2021.

(3) If the corrosion is beyond the allowable repair limits as specified in Figure 5 Detail C of De Havilland Aircraft of Canada Service Bulletin 84-55-05 Revision C, dated August 19, 2021, accomplish the action specified in paragraph (g)(3)(i) or (ii) of this AD.

(i) Replace the existing horizontal stabilizer lower center skin panel in accordance with the Accomplishment Instructions of De Havilland Aircraft of Canada Service Bulletin 84-55-11 Initial Issue, dated February 16, 2021.

(ii) Obtain and follow repair instructions using a method approved by the Manager, New York ACO Branch, FAA; or Transport Canada Civil Aviation (TCCA); or De Havilland Aircraft of Canada Limited's TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(h) Credit for Previous Actions

(1) This paragraph provides credit for actions required by paragraphs (g)(1) and (2) of this AD, if those actions were performed before the effective date of this AD using De Havilland Aircraft of Canada Limited Service Bulletin 84-55-05, Initial Issue, dated January 12, 2016; De Havilland Aircraft of Canada Limited Service Bulletin 84-55-05, Revision A, dated June 3, 2016; De Havilland Aircraft of Canada Limited Service Bulletin 84-55-05, Revision B, dated February 26, 2021.

(2) This paragraph provides credit for the actions required by paragraph (g)(2) or

(3) of this AD, if those actions were performed before the effective date of this AD using any of the repair drawings (RDs) specified in figure 1 to paragraph (h) of this AD.

Figure 1 to paragraph (h) – Repair Drawings

RD Number	Issue	Date
8/4-55-1061	3	October 7, 2014
8/4-55-1064	2	October 27, 2014
8/4-55-1107	3	March 11, 2016
8/4-55-1110	2	March 11, 2016
8/4-55-1124	3	April 13, 2021
8/4-55-1138	1	June 3, 2015
8/4-55-1144	2	May 17, 2016
8/4-55-1166	2	June 29, 2016
8/4-55-1178	2	June 29, 2016
8/4-55-1200	2	June 29, 2016
8/4-55-1219	2	June 29, 2016
8/4-55-1363	1	October 28, 2016
8/4-55-1450	1	March 2, 2017
8/4-55-1484	1	April 11, 2017
8/4-55-1705	2	September 20, 2018
8/4-55-1837	1	October 4, 2019
8/4-55-1876	1	January 17, 2020
8/4-55-1967	1	November 15, 2020
8/4-55-1978	1	January 14, 2021
8/4-55-2009	1	June 10, 2021

(i) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, New York ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600

Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or Transport Canada Civil Aviation (TCCA); or De Havilland Aircraft of Canada Limited's TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(j) Related Information

(1) Refer to TCCA AD CF-2022-02, dated January 28, 2022, for related information. This TCCA AD may be found in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2022-1403.

(2) For more information about this AD, contact Yaser Osman, Aerospace Engineer, Airframe and Propulsion Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; email 9-avs-nyacocos@faa.gov.

(3) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (k)(3) and (4) of this AD.

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) De Havilland Aircraft of Canada Limited Service Bulletin 84-55-05, Revision

C, dated August 19, 2021.

(ii) De Havilland Aircraft of Canada Limited Service Bulletin 84-55-11, dated February 16, 2021.

(3) For service information identified in this AD, contact De Havilland Aircraft of Canada Limited, Dash 8 Series Customer Response Centre, 5800 Explorer Drive, Mississauga, Ontario, L4W 5K9, Canada; telephone 855-310-1013 or 647-277-5820; email thd@dehavilland.com; website dehavilland.com.

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email fr.inspection@nara.gov, or go to: www.archives.gov/federal-register/cfr/ibr-locations.html.

Issued on October 25, 2022.

Christina Underwood, Acting Director,
Compliance & Airworthiness Division,
Aircraft Certification Service.

[FR Doc. 2022-23594 Filed: 11/3/2022 8:45 am; Publication Date: 11/4/2022]